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PTO/SB/01 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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164.1003.01 **Attorney Docket Number** Majidi-Ahy, Reza et al First Named Inventor **COMPLETE IF KNOWN** 09 / 475,716 **Application Number** December 30, 1999 Filing Date Not Yet Assigned **Group Art Unit**

a valid OMB control number. **DECLARATION FOR UTILITY OR DESIGN** PATENT APPLICATION (37 CFR 1.63) ☐ Declaration □ Declaration Submitted after Initial OR Submitted Filing (surcharge (37 CFR 1.16 (e)) with Initial Not Yet Assigned **Examiner Name** Filing required)

As a below named inventor, I hereby declare that:								
	As a below named inventor, Thereby declare that: My residence, post office address, and citizenship are as stated below next to my name.							
					ter (if plural			
I believe I am the original, finames are listed below) of t	rst and sole inventor (if only he subject matter which is c	one name is listed below) o laimed and for which a pate	or an original, firs ent is sought on	it and joint inventhe invention ent	itled:			
Integrated Self-Op	Integrated Self-Optimizing Multi-Parameter and Multi-Variable Point to Multipoint							
the specification of which	(Title	of the Invention)						
is attached hereto								
OR X was filed on (MM/DD	December 30), 1999 as United	States Applicat	on Number or P	CT International			
		as amended on (MM/DD/YY	m		(if applicable).			
Application Number 09/	475,716 and wa	contents of the above identif	fied specification	n, including the c	laims, as			
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I acknowledge the duty to di	sclose information which is r	material to patentability as o	defined in 37 CF	R 1.56.				
certificate, or 365(a) of any	I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.							
Prior Foreign Application		Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Co	py Attached? NO			
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t hereby claim the benefit t	inder 35 U.S.C. 119(e) of ar	y United States provisional	application(s) li	sted below.				
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[Page 1 of 2]

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	ame (first and middle	e [if any])		Family	Name or S	Surname	
Majidi-Ahy		MAR	Reza				
Inventor's Signature		78	1			Date	1-14-100 US
Residence: City	Los Altos	State GA	Countr	USA		Citizenship	
Post Office Addres	1637 South Ma	ain Street					
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DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1

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nal Joint Inventor, if any: A petition has been filed for this unsigned inventor											
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					На	kim					
Joseph F.	ac		`	_					Date	2	-8-00
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ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1

Name of Addition	me of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor								entor	
Given Nar	me (first and middle [if any])					Family Na	me or s	Sumame		
Joseph	1				На	kim				
Inventor's Signature								Date		
Residence: City	Milpitas	State	CA		Country	USA		Citizensh	ip (Canada
Post Office Address	1637 South Mair	Stree	et		<u> </u>					
Post Office Address										
City	Milpitas	State	CA		ZIP	95035	Countr	y US	4	:
Name of Addition	nal Joint Inventor, if any	/:			A petitio	n has been file	ed for th	nis unsign	ed inv	entor
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Inventor's Signature								Dat	e	2/8/00
Residence: City	San Jose	State	CA		Country	USA		Citizen	ship	us
Post Office Address	1637 South Main Street	:								
Post Office Address										
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SEPTEMBER 21, 2000

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Weshington, D.C. 20231

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RECORDATION DATE: 09/19/2000

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NUMBER OF PAGES: 5

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BNA SYSTEMS, INC., A CORPORATION DOC DATE: 03/01/2000

OF CALIFORNIA

ASSIGNEE:

APERTO NETWORKS, INC. 1637 SOUTH MAIN STREET A CORPORATION OF CALIFORNIA MILPITAS, CALIFORNIA 95035

SERIAL NUMBER: 09475642

FILING DATE: 12/30/1999

ISSUE DATE:

SERIAL NUMBER: 09475716

FILING DATE: 12/30/1999

PATENT NUMBER:

PATENT NUMBER:

ISSUE DATE:

010967/0071 PAGE 2

ANTIONE ROYALL, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

U.S. Department of Commerce FORM PTO-1619A Patent and Trademark Office Expires 06/30/99 OMB 0651-0027 **PATENT** 22883 RECORDATION FORM COVER SHEET PATENTS ONLY TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies) **Conveyance Type** Submission Type | X | **Assignment Security Agreement** New Resubmission (Non-Recordation) License **Change of Name** Document ID# **Correction of PTO Error** Other Merger Frame # Reel # U.S. Government (For Use ONLY by U.S. Government Agencies) **Corrective Document** Frame # Reel # Departmental File Secret File Conveying Party(ies) Mark if additional names of conveying parties attached Execution Date Month Day Year Name (line 1) BNA Systems, Inc. 03 01 2000 Name (line 2) a corporation of California Execution Date Month Day Year Second Party Name (line 1) Name (line 2) **Receiving Party** Mark if additional names of receiving parties attached If document to be recorded Name (line 1) Aperto Networks, Inc. is an assignment and the receiving party is not domiciled in the United Name (line 2) a corporation of California States, an appointment of a domestic Address (line 1) 1637 South Main Street representative is attached. (Designation must be a separate document from Addr ss (line 2) Assignment) Addr ss (line 3) Milpitas CA 95035 City State/Country **Domestic Representative Name and Address** Enter for the first Receiving Party only. Name John C. Merchant Address (line 1) | Swernofsky Law Group Address (line 2) P.O.Box 390013 Address (line 3) Mountain View, CA 94039-0013 Address (line 4) United States FOR OFFICE USE ONLY

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Page 2

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Expires 06/30/99 OMB 0651-0027		rage z	PATENT
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Address (line 1)	Swernofsky Law Group		
Address (line 2)	P.O.Box 390013		
i	Mountain View, CA 94039-00		
Address (line 4)	United States		
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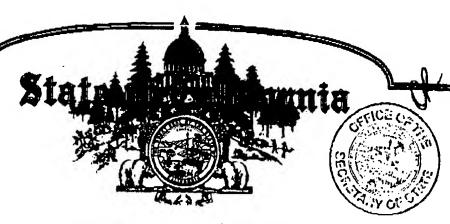
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Address (line 2)	P.O.Box 390013		
	Mountain View, CA 9403B-00		
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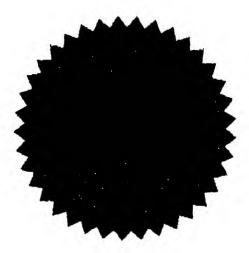
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SECRETARY OF STATE

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That the attached transcript of $\frac{\mathcal{V}}{\mathcal{V}}$ page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 2 1 2000

Bill mes

Secretary of State

PAGE 04 NO.896 P003

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ENDORSED - FILED in the office of the Secretary of State of Caffornia

MAR 1 5 2000

PILL JONES, Secretary of State

CERTIFICATE OF AMENDMENT OF THE

ARTICLES OF INCORPORATION OF

BNA SYSTEMS, INC.

A California Corporation

The undersigned, Reza Ahy and Judith M. O'Brien, hereby certify that:

ONE: They are the duly elected and acting President and Chief Executive Officer and Secretary, respectively, of BNA Systems, Inc., a California corporation.

TWO: Article I of the Articles of Incorporation of said Corporation is amended to read in its entirety as follows:

ARTICLE I

The name of this Corporation is Aperto Networks, Inc. (the "Corporation").

THREE: The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the Board of Directors of said Corporation.

FOUR: The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Sections 902 and 903 of the California Corporations Code. The total number of outstanding shares of Common Stock of the Corporation entitled to vote hereon is 2,469,574. The total number of outstanding shares of Series A Preferred Stock entitled to vote hereon is 5,116,188. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage voted required was more than 50% of the outstanding shares of the Common Stock and Preferred Stock, voting as a single class.

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The undersigned certify under penalty of perjury that they have read the foregoing Certificate of Amendment of the Articles of Incorporation and know the contents thereof, and that the statements therein are true.

IN WITNESS WHEREOF, the undersigned have executed this certificate on March 191, 2000.

Reza Ahy, President and Chief Executive Officer

Judith M. O'Brien, Secretary





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UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

JULY 03, 2000

SWERNOFSKY LAW GROUP DANIEL B. CURTIS P.O. BOX 390013 MOUNTAIN VIEW, CA 94039



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RECORDATION DATE: 04/10/2000

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

REZA, MAJIDI-AHY

DOC DATE: 01/24/2000

ASSIGNOR:

HAKIM, JOSEPH

DOC DATE: 02/08/2000

ASSIGNOR:

VARMA, SUBIR

DOC DATE: 02/08/2000

ASSIGNEE:

BNA SYSTEMS, INC. 1637 SOUTH MAIN MILPITAS, CALIFORNIA 95035

SERIAL NUMBER: 09475716

PATENT NUMBER:

FILING DATE: 12/30/1999

ISSUE DATE:





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FORM PTO-1619A Expires 06/30/99 OMB 0651-0027

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Name (line 1) Reza, Majidi-Ahy	01 24 00
Name (line 2)	
Second Party	Execution Date Month Day Yea
Name (line 1) Hakim, Joseph	02 08 00
Name (line 2)	
Receiving Party	X Mark if additional names of receiving parties attached
Name (line 1) BNA Systems, Inc.	If document to be recois an assignment and receiving party is not
Name (line 2) a Corporation of California	domiciled in the United
Addr ss (line 1) 1637 South Main	of a domestic representative is attac
	(Designation must be separate document fro
Address (line 2)	Assignment.)
Address (line 3) Milpitas	CA 95035 State/Country Zip Code
Domestic Representative Name a	
Name Daniel B. Curtis	
Daniel B. Curtis	
Address (line 1) Swernofsky Law Group	
Address (line 2) P.O.Box 390013	
	0013
Address (line 3) Mountain View, CA 94039-0	
Address (line 3) Mountain View, CA 94039-0 Address (line 4) United States	

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U.S. Department of Commerce

Expires 06/30/99 OMB 0651-0027		Page Z	Patent and Trademark Office PATENT
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Name	Daniel B. Curtis	Reg. N	lo. 39,159
Address (line 1)	Swernofsky Law Group		
Address (line 2)	P.O.Box 390013		
	Mountain View, CA 94039-00		
Address (line 4)	United States		
Pages	Enter the total number of pagincluding any attachments.	ges of the attached conveyance doc	ument # 3
Application	Number(s) or Patent Num	ber(s) Mark	if additional numbers attached
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	s being filed together with a <u>new</u> Paten st named executing inventor.	at Application, enter the date the patent applic	ation was Month Day Year
Patent Coop	peration Treaty (PCT)		
	er PCT application number	PCT PCT	PCT
	<u>rif</u> a U.S. Application Number not been assigned.	PCT PCT	PCT
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F e Amount	Fee Amount fo	or Properties Listed (37 CFR 3.41):	\$ 40.00
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		eposit Account Number:	# 50-0365
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Dani	el B. Curtis	ent B. Cun	April 4, 2000
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FORM PTO-1619C Expires 06/30/99 OMB 0651-0027

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U.S. Department of Commerce Patent and Trademark Office PATENT

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Enter additional Conveying Parties	Month Day Year
Name (line 1) Varma, Subir	02 08 00
Name (line 2)]
	Execution Date Month Day Year
Name (line 1)	
Name (line 2)	7
	Execution Date Month Day Year
Name (line 1)	
Name (i. a)	7
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	of a domestic representative is attached. (Designation
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Address (line 2)	Assignment)
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Application Number(s) or Patent Number(s) Mark if additional numbers attache Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the	
Patent Application Number(s) Patent Application Number(s)	

22883

ASSIGNMENT

WHEREAS, we, Majidi-Ahy Reza, a citizen of United States, residing at Los Altos, California, Joseph Hakim, a citizen of Canada, residing at Milpitas, California, and Subir Varma, a citizen of United States, residing at San Jose, California, have invented a "Integrated Self-Optimizing Multi-Parameter and Multi-Variable Point to Multipoint" for which we have executed application papers for a U.S. patent thereon, which was filed on December 30, 1999, Serial No. 09/475,716; and

WHEREAS, BNA Systems, Inc. a California corporation, having a place of business at 1637 South Main, San Jose, California is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Reza Majidi-Ahy, Joseph Hakim, and Subir Varma, do sell, assign, transfer and set over unto the said BNA Systems, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said BNA Systems, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at, 2000.		_, this	12-14-1000	lay of
Majidi-Ahy Reza	Joseph Hakim			

Subir Varma

.0

22883

ASSIGNMENT

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WITNESS OUR HAND at, 2000.	, this & ——— day of
Majidi-Ahy Reza	Joseph Hakim
	gosephyr iakiini
Subir Varma	

HODIGINIFIN I

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WITNESS OUR HAND at, 2000.		, this	day of
Majidi-Ahy Reza	Joseph Hak	im	
Subir Varma			

PTO/SB/81 (11-96)

Approved for use through 6/30/99. OMB 0651-0035

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

1 Valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING **APPLICATION**

Application Number	09/475,716
Filing Date	December 30, 1999
First Named Inventor	Majidi-Ahy, Reza et al
Group Art Unit	2749
Examiner Name	Not Assigned
Attorney Docket Number	164.1003.01

i hereby a	ppoint:					
OR	Practitioners at Customer Number 22883 OR Practitioner(s) named below:				22883	
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Applicant.						
Assignee of record of the entire interest Certificate under 37 CFR 3.73(b) is enclosed						
SIGNATURE of Applicant or Assignee of Record						
Name		Reza Majj	di-Ahy, Preside	ent and,	CEO	
Signature		(12mg			
Date			7001		pm -15-01	<u> </u>

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PTO/SB/96 (6-98)
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STATEME	NT UNDER 37 CFR 3.	73(b)	
Applicant/Patent Owner:	Majidi-Ahy, Reza et al		
Application No./Patent No.: 09/475,716	Filed/Issue Date:	December 30, 1999	
Entitled: Integrated Self-Optimizing Multi-Paramete	r and Multi-Variable Point to Mult	ipoint	
BNA Systems, Inc.	Corporation		
(Name of Assignee)	(Type of Assignee, e.g., corporation, pa	rtnership, university, government agency, etc.)	
states that it is:			
1. X the assignee of the entire right, title, and intere	st; or		
2. an assignee of an undivided part interest		·	
in the patent application/patent identified above by virtu	ue of either:		
A. [X] An assignment from the inventor(s) of the patent a Patent and Trademark Office at Reel, Fra			
OR			
B. [] A chain of title from the inventor(s), of the patent ap	plication/patent identified above,	to the current assignee as shown below:	
From: The document was recorded in the Patent a Reel, Frame, or for	and Trademark Office at		
2. From:			
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3. From:			
The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.			
[] Additional documents in the chain of title are listed on a supplemental sheet.			
[X] Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]			
The undersigned (whose title is supplied below) is empower	ered to sign this statement on be	ehalf of the assignee.	
Dete 1	Reza Majidi		
(hr - 15-00	Typed or printe	ed name	
	Pr sident and	CEO	
	Title		



ASSIGNMEN !

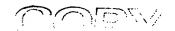
WHEREAS, we, Majidi-Ahy Reza, a citizen of United States, residing at Los Altos, California, Joseph Hakim, a citizen of Canada, residing at Milpitas, California, and Subir Varma, a citizen of United States, residing at San Jose, California, have invented a "Integrated Self-Optimizing Multi-Parameter and Multi-Variable Point to Multipoint" for which we have executed application papers for a U.S. patent thereon, which was filed on December 30, 1999, Serial No. 09/475,716; and

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Majidi-Ahy Reza	Joseph Hakim
Subir Varma	

22883



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Subir Varma				

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WITNESS OUR HAND at, 2000.	, this <u>14-14-100</u> day of
Majidi-Ahy Reza	Joseph Hakim
Subir Varma	